

SENATE BILL 258

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2003 Regular Session
(3r1779)

ENROLLED BILL

-- *Judicial Proceedings/Environmental Matters* --

Introduced by **Senators Green, Currie, Forehand, Frosh, Garagiola,
Giannetti, and Hogan**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Condominium Act - Meetings of Council of Unit Owners - Quorum**

3 FOR the purpose of authorizing an additional meeting of the council of unit owners of
4 a condominium to be called under certain conditions if the number of persons
5 present in person or by proxy at a properly called meeting is insufficient to
6 constitute a quorum; requiring a certain notice of the additional meeting to be
7 ~~given in a certain manner~~ delivered or mailed to each unit owner at a certain
8 address; requiring the notice to contain certain information; providing that the
9 unit owners present in person or by proxy at the additional meeting constitute a
10 quorum; authorizing certain actions to be taken at the additional meeting;
11 providing for the construction of this Act; and generally relating to meetings of a
12 condominium council of unit owners.

13 BY repealing and reenacting, with amendments,
14 Article - Real Property
15 Section 11-109(c)(8)

1 Annotated Code of Maryland
2 (1996 Replacement Volume and 2002 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article - Real Property**

6 11-109.

7 (c) (8) (I) Unless the bylaws provide otherwise, a quorum is deemed
8 present throughout any meeting of the council of unit owners if persons entitled to
9 cast 25 percent of the total number of votes appurtenant to all units are present in
10 person or by proxy.

11 (II) IF THE NUMBER OF PERSONS PRESENT IN PERSON OR BY
12 PROXY AT A PROPERLY CALLED MEETING OF THE COUNCIL OF UNIT OWNERS IS
13 INSUFFICIENT TO CONSTITUTE A QUORUM, ANOTHER MEETING OF THE COUNCIL OF
14 UNIT OWNERS MAY BE CALLED FOR THE SAME PURPOSE IF:

15 1. THE NOTICE OF THE MEETING STATED THAT THE
16 PROCEDURE AUTHORIZED BY THIS PARAGRAPH MIGHT BE INVOKED; AND

17 2. BY MAJORITY VOTE, THE UNIT OWNERS PRESENT IN
18 PERSON OR BY PROXY CALL FOR THE ADDITIONAL MEETING.

19 (III) 1. FIFTEEN DAYS' NOTICE OF THE TIME, PLACE, AND
20 PURPOSE OF THE ADDITIONAL MEETING SHALL BE ~~GIVEN BY ADVERTISEMENT IN A~~
21 ~~NEWSPAPER PUBLISHED IN THE COUNTY IN WHICH THE PRINCIPAL OFFICE OF THE~~
22 ~~COUNCIL OF UNIT OWNERS IS LOCATED~~ DELIVERED OR MAILED TO EACH UNIT
23 OWNER AT THE ADDRESS SHOWN ON THE ROSTER MAINTAINED UNDER PARAGRAPH
24 (2) OF THIS SUBSECTION.

25 2. THE NOTICE SHALL CONTAIN THE QUORUM AND VOTING
26 PROVISIONS OF SUBPARAGRAPH (IV) OF THIS PARAGRAPH.

27 (IV) 1. AT THE ADDITIONAL MEETING, THE UNIT OWNERS
28 PRESENT IN PERSON OR BY PROXY CONSTITUTE A QUORUM.

29 2. UNLESS THE BYLAWS PROVIDE OTHERWISE, A MAJORITY
30 OF THE UNIT OWNERS PRESENT IN PERSON OR BY PROXY:

31 A. MAY APPROVE OR AUTHORIZE THE PROPOSED ACTION AT
32 THE ADDITIONAL MEETING; AND

33 B. MAY TAKE ANY OTHER ACTION THAT COULD HAVE BEEN
34 TAKEN AT THE ORIGINAL MEETING IF A SUFFICIENT NUMBER OF UNIT OWNERS HAD
35 BEEN PRESENT.

1 (V) THIS PARAGRAPH MAY NOT BE CONSTRUED TO AFFECT THE
2 PERCENTAGE OF VOTES REQUIRED TO AMEND THE DECLARATION OR BYLAWS OR TO
3 TAKE ANY OTHER ACTION REQUIRED TO BE TAKEN BY A SPECIFIED PERCENTAGE OF
4 ~~VOTERS~~ VOTES.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2003.